

City Council Introduction: **Monday**, January 27, 2003  
Public Hearing: **Monday**, February 3, 2003, at **1:30 p.m.**

Bill No. 03-17

## **FACTSHEET**

**TITLE:** **DECLARATION OF SURPLUS PROPERTY**, requested by Joel Pedersen of the City Law Department, to declare a portion of the Haymarket Parking Garage located at 9<sup>th</sup> & "Q" Streets, as surplus property.

**STAFF RECOMMENDATION:** A finding of conformance with the Comprehensive Plan (**Comprehensive Plan Conformance No. 02011**).

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 01/08/03  
Administrative Action: 01/08/03

**RECOMMENDATION:** A finding of conformance with the Comprehensive Plan (8-0: Carlson, Duvall, Larson, Newman, Schwinn, Krieser, Bills-Strand and Taylor voting 'yes'; Steward absent).

### **FINDINGS OF FACT:**

1. The staff conclusion and recommendation to find the proposed declaration of surplus property to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3.
2. On January 8, 2003, public hearing was held before the Planning Commission. The applicant's testimony is found on p.4.
3. There was no testimony in opposition.
4. The Planning Commission agreed with the staff recommendation and voted 8-0 to find the proposal to be in conformance with the Comprehensive Plan (See Minutes, p.4).

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** January 21, 2003

**REVIEWED BY:** \_\_\_\_\_

**DATE:** January 21, 2003

**REFERENCE NUMBER:** FS\CC\2003\CPC.02011

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**DATE:** December 24, 2002

January 8, 2003

**CONCLUSION:** The declaration of surplus generally conforms with the Comprehensive Plan.

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East: Commercial B-4  
West: Commercial B-4/Historic Preservation District (Haymarket Landmark Dist.)

**COMPREHENSIVE PLAN SPECIFICATIONS:** The 2025 Lincoln/Lancaster County Comprehensive Plan designates this area as “Commercial.”

“During the time period covered by this Plan, there will likely be a need to construct, renovate, or abandon certain public buildings and facilities not already discussed in this document. At such time as these events may occur, care should be taken by those public officials making these decisions that the Vision of this Plan is recognized and respected. This may include the siting of a new facility, the abandonment of an existing one, the way renovations are undertaken, the manner of financing used to complete the work, the arrangements made for the facility’s operation, the process followed in making the decision, and the timing of the action.” (page F 131)

## **HISTORY:**

October, 2001: The City of Lincoln entered into a Purchase Agreement with B & J Partnership, Ltd., for property at 9<sup>th</sup> and “Q” for the Haymarket Parking Garage. The City of Lincoln entered into an Exchange Subagreement that requires the transfer of the first level building shell space consisting of approximately 3,000 square feet to B & J Partnership for the purposes of a commercial operation.

## **ANALYSIS:**

1. The City Law Department has requested a declaration of surplus for the retail area located on the first floor of the Haymarket Parking Garage. The declaration of surplus finding is required before the ownership of the building can be transferred to satisfy the Exchange Subagreement between the City of Lincoln and B & J Partnership Ltd., that the City approved in October, 2001. There is one property included in this declaration of surplus. A declaration of surplus permits the City to meet requirements of the Purchase Agreement.

Prepared by:

Duncan L. Ross, AICP  
Planner

# COMPREHENSIVE PLAN CONFORMANCE NO. 02011

## **PUBLIC HEARING BEFORE PLANNING COMMISSION:**

January 8, 2003

Members present: Carlson, Bills-Strand, Larson, Newman, Duvall, Taylor, Krieser and Schwinn; Steward absent.

Staff recommendation: A finding of conformance with the Comprehensive Plan.

This application was removed from the Consent Agenda and had separate public hearing at the request of Commissioner Newman because she believes the public should be aware of the purpose of the declaration of surplus property.

Joel Pedersen, Asst. City Attorney, explained that this declaration of surplus property involves a portion of the new Haymarket Parking Garage which was identified in the agreement of purchase. There were two owners of the site and one of the conditions of the city acquisition to build the garage was that the retail space be reconveyed back to the property owner, B & J Partnership. This proposal proposes to surplus the area covered by retail space. B & J Partnership is paying \$90,000 for the land. B & J has also agreed to pay for logistical improvements for the common wall and the other improvements related to the garage.

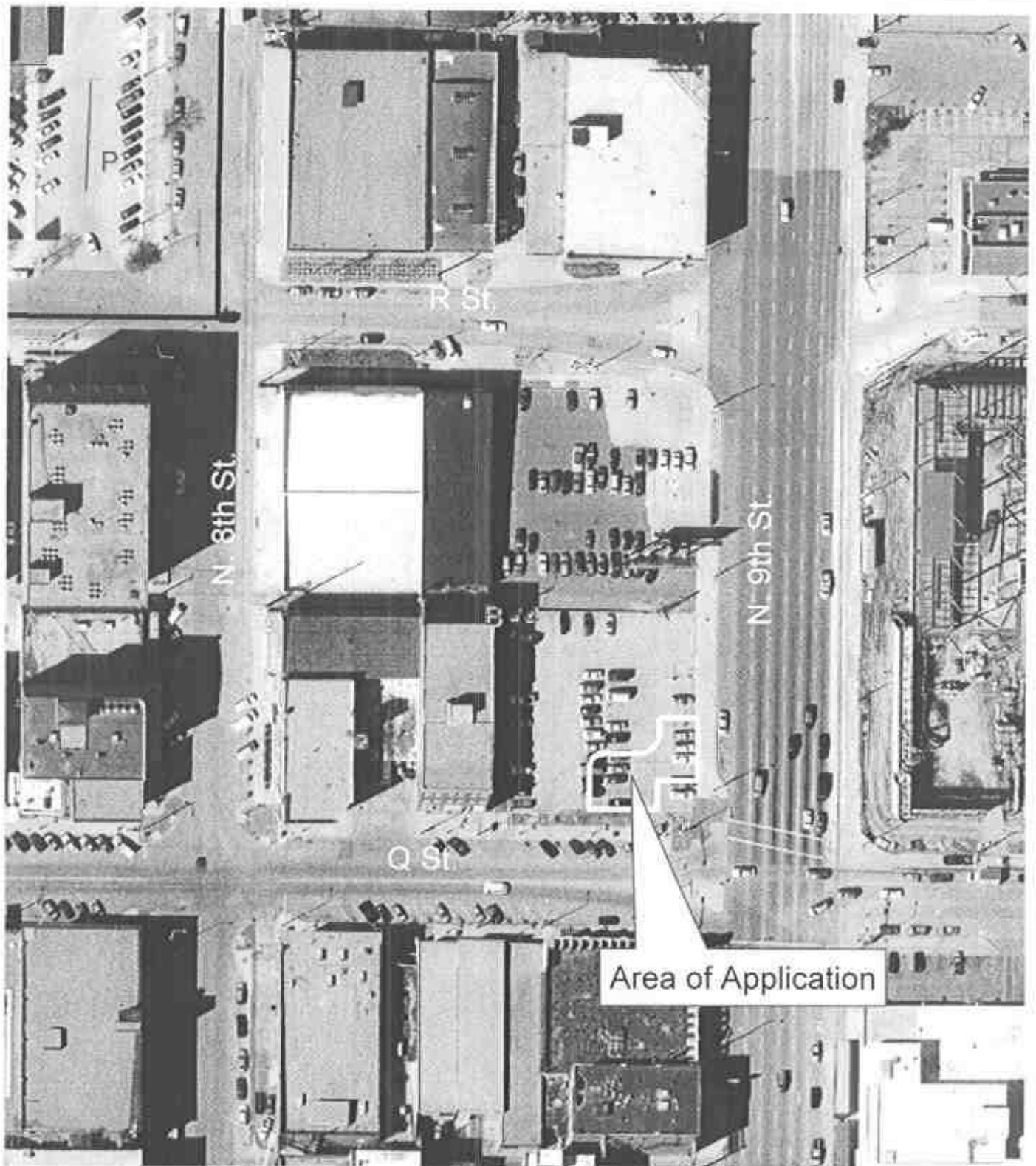
There was no testimony in opposition.

Public hearing was closed.

## **ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

January 8, 2003

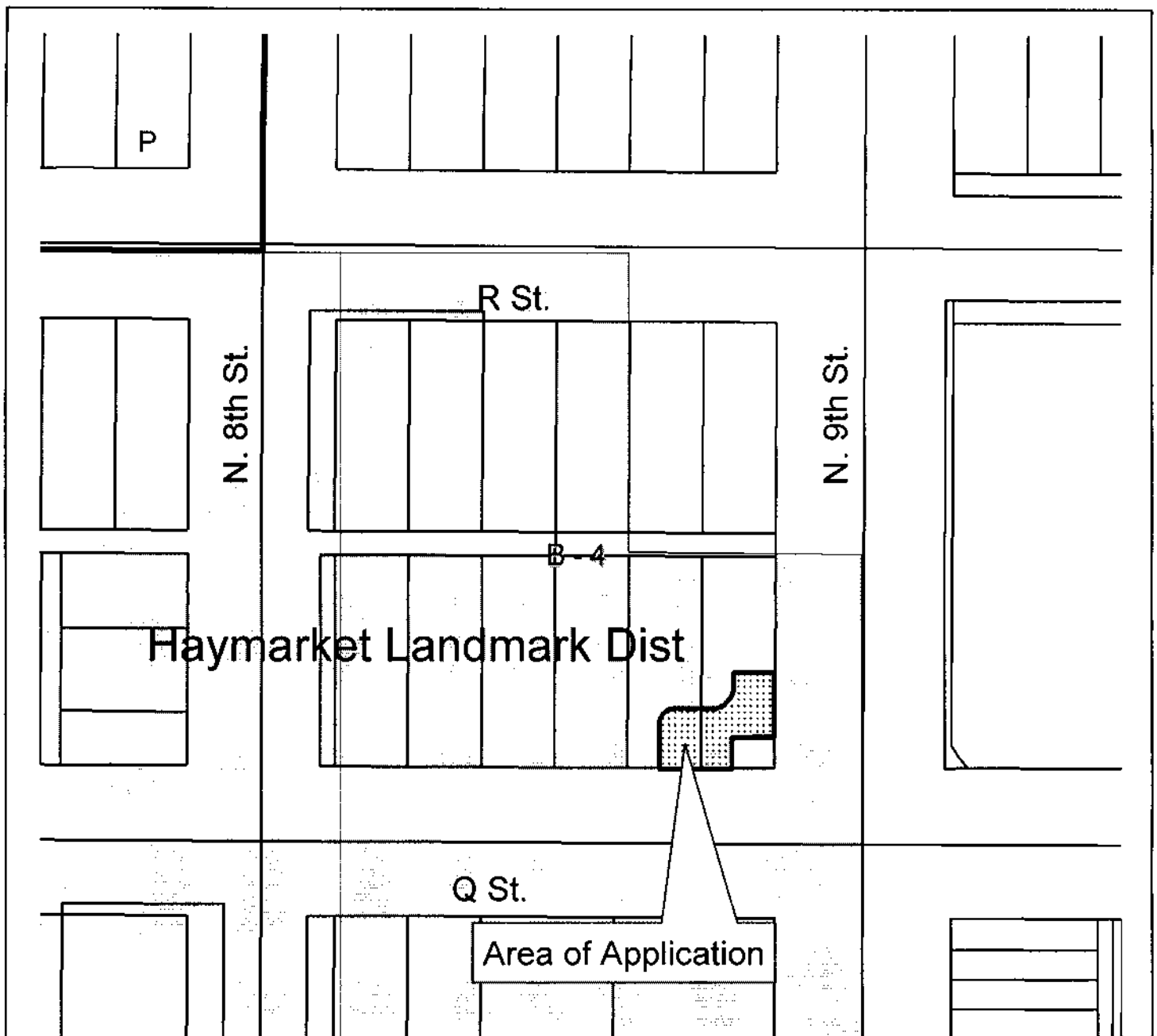
Larson moved to approve a finding of conformance, seconded by Carlson and carried 8-0: Carlson, Bills-Strand, Larson, Newman, Duvall, Taylor, Krieser and Schwinn voting 'yes'; Steward absent.



**Comp. Plan Conformance #02011**  
**Haymarket Parking Garage**  
**N. 9th & R St.**



005



**Comp. Plan Conformance #02011**  
**Haymarket Parking Garage**  
**N. 9th & R St.**  
**Zoning:**

One Square Mile  
 Sec. 23 T10N R6E

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

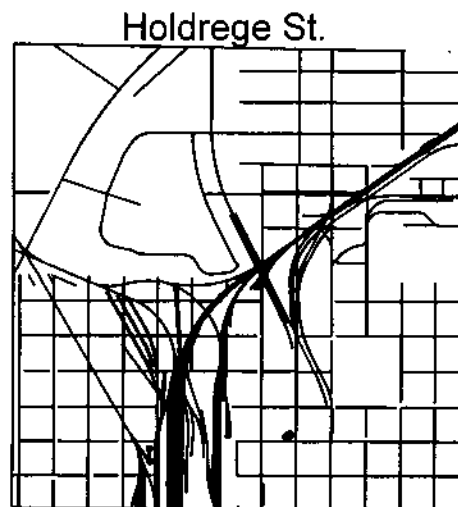


Zoning Jurisdiction Lines



City Limit Jurisdiction

N. 1st St.

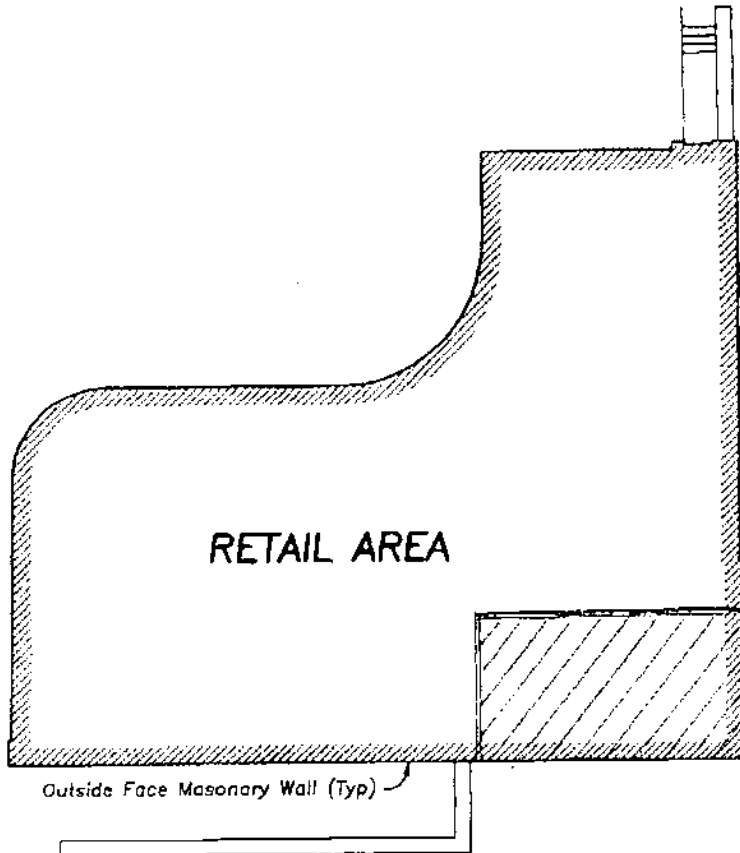


N. 14th St.

006



SCALE: 1" = 20'



9TH STREET

"Q" STREET